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General*

4th February, 1960.

COCOM Document 3715.26/5B

COORDINATING COMMITTEE

RECORD OF DISCUSSION:

ON

ITEM 1526 - COMMUNICATIONS CABLE

25th January, 1960

Present: Belgium(Luxembourg), Canada, France, Germany, Italy, Japan, Netherlands, Turkey, United Kingdom, United States.

References: COCOM Docs. Nos. 3700.3, 6 and 9, 3715.00/1, 3715.26/1 - 4 and W.P. 1526/1 - 5.

1. The CHAIRMAN invited the Committee to resume study of Item 1526.
2. The UNITED STATES Delegate recalled that, at the close of the latest discussions on this item, he had made it quite clear that in view of the strength of his instructions he could not foresee any change in his Government's position. Since that time, the United States Government had undertaken a thorough further evaluation of the strategic importance of Item 1526. This evaluation, far from leading them to change their opinion, had on the contrary confirmed them in their belief. The United States authorities had then entered into contact with the other Member Governments in order to convey to them the full scope of their strategic evaluation and to explain why they were unable to modify their position. The Committee would not therefore be surprised to hear that the United States Delegation maintained the proposals they had made in December (COCOM Doc. No. 3715.26/3). The other delegations had obviously been unable to study these proposals thoroughly at that time, and the Delegate now hoped to hear the views of the various Member Governments in the light of their further analysis.
3. The CANADIAN Delegate supported the United States proposals involving prior notification procedure for Item 1526. The Canadian Government's agreement in this instance did not, however, mean that they were in favour of the principle of prior notification or consultation as a general rule.
4. The NETHERLANDS Delegate recalled that his Government's views were recorded in paragraph 13 of COCOM Doc. No. 3715.20/4. Nevertheless, after further study of the matter, the Netherlands authorities, while preferring prior consultation for the three items involved, had decided to accept the United States proposals.
5. The GERMAN Delegate stated that he found the United States Delegation's position disappointing. Like certain other delegations, the German Delegation believed that some of the equipment covered by Item 1526 was strategic and should be kept under total embargo. It should once again be made clear, however, that there was no question of deleting Item 1526, but only of instituting an administrative exceptions procedure for a small part of its coverage, whose lesser strategic importance was unanimously accepted. Stressing that the Franco-German proposal (COCOM Doc. No. 3715.26/1, paragraph 12 and 3715.26/2, paragraph 5) was already a compromise, the Delegate pointed out that the prior notification proposed by the United States Delegation amounted in actual fact to prior consultation which was always possible without a special Note being required to that effect. Finally the Delegate added that, as a further concession towards the reaching of agreement, his Delegation would also be ready to agree to add to the administrative exceptions Note a clause similar

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to that proposed by the United States Delegation for certain parts of Item 1501, which set up a trial period of one year for the application of this procedure. In conclusion the Delegate stated that, if agreement were not possible on this basis, the German Delegation saw no point in adopting the amendment suggested by the United States Delegation in COCOM Doc. No. 3715.26/3.

6. The UNITED STATES Delegate said that the German proposal for a one-year trial period was new only as a formal matter, i.e. only in the sense that it had not previously been officially advanced. But in fact it had already been informally discussed among delegates, and considered by the United States authorities, who were unable to agree to it. Adoption of such a procedure might only defer Committee difficulties, rather than eliminate them. During the "trial period", exports might take place that would involve serious security risks, to be judged both in aggregative terms as well as in terms of individual exports taken in themselves or in combination with one another. While the technical characteristics and conditions proposed in the procedure the United States Delegation had advanced were good ones, they had to be applied on a case-by-case basis in light of all available knowledge at any given time. Therefore, the United States Delegate held out no hope that his Government could accept any procedure requiring only ex post facto notification.

7. The NETHERLANDS Delegate was in favour of the principle of a trial period for the prior notification procedure. With such a system the Committee should be able, at the end of one year, to judge whether or not this procedure was necessary.

8. The BELGIAN Delegate stated that after thorough study of the records of past discussions on this item, the Belgian Government noted that agreement did not seem possible on the technical plane and felt that the matter should be handled cautiously. Consequently, although any supplies obtained by the Bloc would very probably be put to civilian purposes, as long as there was any risk of their military application the Belgian Delegation were ready to agree to the prior notification procedure suggested by the United States Delegation. This did not mean that the Belgian authorities were in favour of the principle of prior notification as a general rule.

9. The TURKISH Delegate stated that his authorities attached particular importance to the discussions on Items 1520, 1523 and 1526. Because of their common frontier with the Soviet Union, Turkey had no desire to run the risk of exporting any equipment to the Bloc which might affect its security. In the light of past discussions, the Turkish authorities were convinced that these three items covered equipment that could be used directly for very important military purposes, even if they could also be put to peaceful ends. The point at issue was whether individual Governments should decide on their own, and on the basis of certain criteria, what equipment might be safely exported to the Soviet Bloc, or whether all exports should first be examined by all the members of the Committee. For less important equipment, the Committee could in certain cases safely rely on ex post facto reporting and discussion. It was, however, only logical that for equipment of such great strategic potential all available information and advice should be drawn upon. The Turkish authorities believed that a system of ex post facto reporting might entail serious security losses for which no commercial gain would compensate. They were thus convinced that a system allowing for prior consultation was essential for these three items. The Turkish Delegation agreed to the procedures suggested by the United States Delegation (COCOM Doc. No. 3715.26/3) since they offered adequate opportunity for exports while safeguarding the security interests of participating countries.

10. The FRENCH Delegate shared the disappointment expressed by certain delegations at the position taken up by the United States Government with respect to Items 1520, 1523 and 1526. This position was quite different from that adopted in the last United States proposals, under which it was possible with ex post facto reporting to export equipment covered by Item 1501 believed by the French experts and those of certain other delegations to be more strategic.

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than the equipment covered by Items 1520, 1523 and 1526, for which the administrative exceptions procedure had been proposed. The French authorities were convinced of the essentially civilian end-use of the small amount of equipment covered by these items and meeting the requirements laid down in the United States proposal allowing of exports after notification to the Committee. In these circumstances, the Delegate believed that immediate reporting in the monthly statistics would be adequate to prevent any cumulative effect which might be produced by excessive exports. The French Delegation could not agree to the United States proposal as a whole. In a spirit of compromise, however, and to allay the United States Delegation's fears, they would agree to add to the administrative exceptions Note a clause similar to that suggested by the United States Delegation for certain parts of Item 1501, in which a one-year trial period was established for the application of the procedure.

11. The UNITED KINGDOM Delegate had nothing to add to his previous remarks recorded in COCOM Doc. No. 3715.26/4. He was interested to see the suggestion for a one-year trial period.

12. The ITALIAN Delegate likewise had nothing to add to his earlier remarks. He could agree ad referendum to the new German proposal set out in paragraph 5 above.

13. After a further exchange of views, the BELGIAN, CANADIAN and NETHERLANDS Delegates undertook to give their Governments' views on the German proposal set out in paragraph 5 above as soon as possible.

14. The CHAIRMAN noted that the discussion on Item 1526 had come to a close and, if no new factors were introduced before the 1st February - when the new International Lists (Doc. 4000) came into force - the definition appearing in the present Lists (Doc. 3300) and in draft Doc. 4000 would remain unchanged. The Chairman expressed extreme regret that the Committee had been unable to reach unanimous agreement on an item involving such serious problems as had become apparent during the discussions. He nevertheless hoped that the exhaustive views given during the lengthy discussions would help in dealing with any exceptions cases submitted during the year 1960.

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